



National Aeronautics and  
Space Administration

**Principal Center for Regulatory Risk Analysis and Communication**

# Regulatory Tracking Summary

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*16 November 2007*

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

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## Acronyms

AEGL = Acute exposure guideline level  
ANPRM = Advance Notice of Proposed Rulemaking  
CAA = Clean Air Act  
CAAWG = Clean Air Act Working Group  
CAIR = Clean Air Interstate Rule  
CCR = *California Code of Regulations*  
CEC = California Energy Commission  
CFR = *Code of Federal Regulations*  
CRNR = *California Regulatory Notice Register*  
DTSC = Division of Toxic Substances Control  
EMD = Environmental Management Division  
EMS = Energy management systems  
EPA = U.S. Environmental Protection Agency  
F.A.C = Florida Administrative Code  
FAA = Federal Aviation Administration  
FAR = Federal Acquisition Regulation  
FAW = *Florida Administrative Weekly*  
FDEP = Florida Department of Environmental Protection  
FR = *Federal Register*  
GSE = Ground support equipment  
HAP = Hazardous air pollutant  
HQ = Headquarters  
HTML = HyperText Markup Language  
IRIS = Integrated risk information system  
LAC = Louisiana Administrative Code  
LDEQ = Louisiana Department of Environmental Quality  
MSFC = Marshall Space Flight Center  
MVAC = Motor vehicle air conditioner  
NAAQS = National Ambient Air Quality Standards  
NAICS = North American Industry Classification System  
NASA = National Aeronautics and Space Administration

NEPA = National Environmental Policy Act  
NESHAP = National Emission Standards for Hazardous Air Pollutants  
NPRM = Notice of Proposed Rulemaking  
NSR = New Source Review  
OAC = Ohio Administrative Code  
ODS = Ozone-depleting substance  
OEHHA = Office of Environmental Health Hazard  
OEPA = Ohio Environmental Protection Agency  
OSHA = Occupational Safety and Health Administration  
PFAC = Perfluoroalkyl carboxylates  
PFAS = Perfluoroalkyl sulfonates  
PM = Particulate matter  
PPE = Personal protective equipment  
RIN = Regulatory Identification Number  
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication  
SIC = Standard Industrial Classification  
SIP = State Implementation Plan  
SO<sub>2</sub> = Sulfur dioxide  
SNUR = Significant New Use Rule  
TAC = Texas Administrative Code  
TCEQ = Texas Commission on Environmental Quality  
TMDL = Total maximum daily load  
TRI = Toxic release inventory  
U.S. = United States  
UST = Underground storage tank  
Va.R. = *Virginia Register*  
VAC = Virginia Administrative Code  
VOC = Volatile organic compound

# 1.0 U.S. Federal Regulatory Review

## 1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts on NASA Centers and Programs.

| RRAC PC Tracking Number | Subject                           | Date       | Citation                    | Type Action       | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Suggested Actions |
|-------------------------|-----------------------------------|------------|-----------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Fed-2007-251            | CAA<br>Fugitive Emissions         | 11/13/2007 | <a href="#">72 FR 63850</a> | Proposed Rule     | Prevention of Significant Deterioration and Nonattainment New Source Review: Reconsideration of Inclusion of Fugitive Emissions [40 CFR Parts 51 and 52]<br><br>Proposes to revise the rules related to the treatment of fugitive emissions in determining whether a physical or operational change at an existing major source qualifies as a major modification that is subject to review under major NSR. Also provides guidelines for determining when and how emissions are to be considered fugitive for NSR and Title V permitting. Comments are due 01/14/2008. Public hearing will be held if requests are received by 12/03/2007 [RIN 2060-AM91].                                         |                   |
| Fed-2007-252            | CAA<br>NAAQS-PM2.5                | 11/05/2007 | <a href="#">72 FR 62414</a> | Notice            | Air Quality Designations for the Fine Particle (PM2.5) National Ambient Air Quality Standards; Notice of Actions Denying Petitions for Reconsideration [40 CFR Part 81]<br><br>Notice that EPA has responded to and denied 16 petitions for reconsideration of the air quality designations ( <a href="#">70 FR 943</a> , 01/05/2005; <a href="#">70 FR 19843</a> , 04/14/2005) for the fine particle (PM2.5) NAAQS. The petitions for reconsideration and the letters denying the petitions are provided on <a href="#">EPA's Web site</a> .                                                                                                                                                       |                   |
| Fed-2007-253            | CAA<br>ODS-MVAC                   | 11/09/2007 | <a href="#">72 FR 63490</a> | Direct Final Rule | Protection of Stratospheric Ozone: Revision of Refrigerant Recovery and Recycling Equipment Standards [40 CFR Part 82]<br><br>Updates reference to Society of Automotive Engineers standard for certification of MVAC refrigerant handling equipment. Replaces the reference to the Society of Automotive Engineers' Standard J2210HFC-134a, Recycling Equipment for Mobile Air Conditioning Systems with J2788, Recovery/Recycle and Recovery/Recycle/Recharging Equipment for HFC-134a Refrigerant. Also revises the EPA addresses to send equipment certification forms. Effective 12/31/2007 unless adverse comments or requests for public hearing are received by 12/10/2007 [RIN 2060-AO32]. |                   |
| Fed-2007-254            | CAA<br>State Implementation Plans | 11/15/2007 | <a href="#">72 FR 64158</a> | Notice            | Availability of Federally Enforceable State Implementation Plans for All States [40 CFR Part 52]<br><br>Notice of availability of compilation of federally enforceable SIPs for each state. Compilations are available from the appropriate EPA Regional Offices. Effective 11/15/2007.                                                                                                                                                                                                                                                                                                                                                                                                             |                   |
| Fed-2007-255            | CAA<br>Test Methods               | 11/05/2007 | <a href="#">72 FR 62414</a> | Withdrawal        | Update of Continuous Instrumental Test Methods: Technical Amendments [40 CFR Part 60]<br><br>Withdrawal of direct final rule ( <a href="#">72 FR 51365</a> , 09/07/2007) to correct errors in a final rule ( <a href="#">71 FR 28081</a> , 05/15/2006) amending five instrumental test methods. Effective 11/05/2007 [RIN 2060-A009].                                                                                                                                                                                                                                                                                                                                                               |                   |

| RRAC PC Tracking Number | Subject                                 | Date       | Citation                    | Type Action | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Suggested Actions |
|-------------------------|-----------------------------------------|------------|-----------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Fed-2007-256            | FAA<br>Regulatory Review                | 11/15/2007 | <a href="#">72 FR 64170</a> | Notice      | Federal Aviation Administration<br>Review of Existing Regulations [14 CFR Chapters I and III]<br>Requests comments to identify those regulations currently in effect that FAA should amend, remove, or simplify. Comments are due 01/14/2008.                                                                                                                                                                                                                                                                                                                        |                   |
| Fed-2007-257            | FAR<br>Biobased Products                | 11/07/2007 | <a href="#">72 FR 63040</a> | Final Rule  | Department of Defense, General Services Administration, and NASA<br>Federal Acquisition Regulation; FAR Case 2004-032, Biobased Products Preference Program [48 CFR Parts 2, 4, 7, 11, 12, 13, 23, 42, 45, and 52]<br>Amends the FAR to implement a biobased products preference program. Requires that a procurement preference be afforded certain biobased products. Effective 12/07/2007 [RIN 9000-AK65].                                                                                                                                                        |                   |
| Fed-2007-258            | Hazardous Substances                    | 11/14/2007 | <a href="#">72 FR 64078</a> | Notice      | National Advisory Committee for Acute Exposure Guideline Levels for Hazardous Substances; Notice of Public Meeting<br>Announces a meeting to address the development of AEGLs for several chemicals, including 1,1,1-trichloroethane. The meeting is scheduled for 12/05/2007 through 12/07/2007 in Orlando, Florida.<br><b>Establishment of an AEGL for 1,1,1-trichloroethane (also called "TCA" and "methyl chloroform") could cause future changes to safety requirements for material usage.</b>                                                                 |                   |
| Fed-2007-259            | Hazardous Substances                    | 11/16/2007 | <a href="#">72 FR 64626</a> | Notice      | Draft Toxicological Review of 1,2,3-Trichloropropane: In Support of the Summary Information in the Integrated Risk Information System<br>Announces a public comment period for the external review draft document titled, " <a href="#">Toxicological Review of 1,2,3-Trichloropropane: In Support of Summary Information on the Integrated Risk Information System (IRIS)</a> ." Comments are due 01/15/2007.                                                                                                                                                       |                   |
| Fed-2007-260            | NEPA<br>Handbook for NEPA Practitioners | 11/07/2007 | <a href="#">72 FR 62854</a> | Notice      | Council On Environmental Quality<br>The National Environmental Policy Act and Collaboration<br>Notice of availability of " <a href="#">Collaboration in NEPA—A Handbook for NEPA Practitioners</a> ." Designed to assist federal agencies in more effective use of collaboration throughout the NEPA process.                                                                                                                                                                                                                                                        |                   |
| Fed-2007-261            | OSHA<br>PPE                             | 11/15/2007 | <a href="#">72 FR 64341</a> | Final Rule  | Occupational Safety and Health Administration<br>Employer Payment for Personal Protective Equipment [29 CFR Parts 1910, 1915, 1917, 1918 and 1926]<br>Stipulates that employers provide required PPE at no cost to the employee, with exceptions for specific items. Does not require employers to provide PPE where none has been required before, but clarifies that when an employer is required to provide PPE to an employee, it must be provided at no cost to the employee, except in limited cases. Effective 02/13/2008. Must be implemented by 05/15/2008. |                   |

## 1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC is currently tracking. Questions about any of these actions or suggestions for additions to this list should be directed to [Sharon Scroggins](#)/MSFC.

| Significant Dates |                             | Subject Action [RIN]                                                 | Type of Action | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------|-----------------------------|----------------------------------------------------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NPRM              | 01/2008                     | NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84] | Pre-rule       | Possible impact to Ground Operations.                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Final Action      | 12/2008                     |                                                                      |                | Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.                                                                                                                                                                                                                                                                                                                              |
| ANPRM             | 03/29/2007                  | NESHAP: Risk and Technology Review, Phase II [2060-AN85]             | Pre-rule       | Possible space vehicle operational or materials impacts.                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                   | <a href="#">72 FR 14734</a> |                                                                      |                | Evaluation of residual risk remaining after the implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities. |
| NPRM              | 08/2007                     |                                                                      |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Final             | 06/2009                     |                                                                      |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Proposed Rule     | 09/17/2007                  | Area Sources: Surface Coating and Paint Stripping [2060-AN21]        | Proposed Rule  | Possible space vehicle operational or materials impacts.                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Final Action      | 12/2007                     |                                                                      |                | The proposed standard will regulate certain surface coating, cleaning, and paint stripping operations at area sources of HAPs, potentially including some space vehicle operations. A <a href="#">regulatory alert</a> was prepared regarding this rulemaking and is available on the <a href="#">RRAC PC website</a> .                                                                                                                                                                    |
| NPRM              | 01/03/2007                  | NESHAP General Provisions—Once In, Always In [2060-AM75]             | Proposed Rule  | Possible impacts to facilities, including space flight support facilities.                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Final Action      | 12/2007                     |                                                                      |                | Could affect how NESHAPs affect certain NASA Centers and vendor facilities.                                                                                                                                                                                                                                                                                                                                                                                                                |
| NPRM              | 03/07/2006                  | SNUR: Perfluorinated Polymers [2070-AD58]                            | Proposed Rule  | Possible space vehicle materials impacts.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Final Action      | 01/2008                     |                                                                      |                | Rule would require manufacturers to notify EPA of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.                                                                                                                                                 |

## 1.3 Status of Emerging Actions and Other Issues

This section will provide updates as they become available regarding the status of other developing environmental- or safety-related initiatives being monitored by NASA HQ/EMD. A consolidated list of items being tracked is available on the [RRAC PC website](#), under Regulatory Alerts. Please direct any comments or questions to Dr. Linda Wennerberg/HQ ([linda.s.wennerberg@nasa.gov](mailto:linda.s.wennerberg@nasa.gov)) and Sharon Scroggins/MSFC ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

## 1.4 Clean Air Act Working Group Updates

### 1.4.1 Clean Air Act Working Group Telecons for 2008

The CAAWG will hold telecons on the following Wednesdays in 2008 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 16 January
- 20 February
- 19 March
- 16 April
- 21 May
- 18 June
- 16 July
- 20 August
- 17 September
- 15 October
- 19 November

## 2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for states in which NASA facilities are located.

### 2.1 Alabama State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Alabama.

## 2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

| Tracking No. | Subject                                       | Date Published | Ref. Page                               | Type Action   | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Suggested Actions                                                                          |
|--------------|-----------------------------------------------|----------------|-----------------------------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| CA-2007-139  | Energy<br>Energy Efficiency Standards         | 11/16/2007     | <a href="#">CRNR 2007, 46z, p. 1919</a> | Proposed Rule | <p><a href="#">California Energy Commission</a></p> <p>Revisions to the California Building Energy Efficiency Standards [24 CCR Part 1 and 6]</p> <p>Proposes changes to the Building Energy Efficiency Standards and associated regulations. The proposed 2008 standards focus on several areas to improve the energy efficiency of new buildings and also include requirements that will enable demand reductions during critical peak periods, including the following:</p> <ul style="list-style-type: none"> <li>▪ Efficiency improvements in insulation and lighting levels, as well as lighting and water heating controls, for nonresidential buildings.</li> <li>▪ Expanded criteria for acceptance testing of mechanical and lighting systems.</li> <li>▪ Enabling new buildings to respond to electricity demand curtailments by reducing air conditioning loads at peak times.</li> <li>▪ For nonresidential buildings with EMSs, the EMS must be capable of issuing a global setpoint adjustment.</li> </ul> <p>Further information is available in the <a href="#">Notice of Proposed Action</a> and <a href="#">Initial Statement of Reasons</a>. Public hearings have been scheduled for 12/17/2007 and 01/30/2008 at the CEC in Sacramento, California. Comments are due by 10:00 a.m., 01/30/2008.</p> |                                                                                            |
| CA-2007-140  | Hazardous Substances<br>Environmental Fee     | 11/16/2007     | <a href="#">CRNR 2007, 46z, p. 1938</a> | Notice        | <p><a href="#">Department of Toxic Substances Control</a></p> <p>Environmental Fee [22 CCR 66269.1]</p> <p><a href="#">Final Statement of Reasons</a> associated with the Environmental Fee rule was made available 11/07/2007. Effective 12/07/2007. Further information about the Environmental Fees is available on the <a href="#">DTSC website</a>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                            |
| CA-2007-141  | Hazardous Substances<br>Occupational Exposure | 11/09/2007     | <a href="#">CRNR 2007, 45z, p. 1892</a> | Final Rule    | <p>Occupational Safety and Health Standards Board</p> <p>Carcinogen Report of Use of Requirements for Chromium VI [8 CCR 1532.2, 5203, 5206, 8359]</p> <p>Amends Title 8 regulations to establish reporting requirements that set forth conditions for chromium (VI) users in the general; construction; and ship building, repair, and breaking industries to report such use to the Division of Occupational Safety and Health. Further information is available on the <a href="#">rulemaking website</a>. Effective 11/29/2007.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <a href="#">NASA facilities</a> using hexavalent chromium should review for applicability. |
| CA-2007-142  | Hazardous Substances<br>Proposition 65        | 11/09/2007     | <a href="#">CRNR 2007, 45z, p. 1881</a> | Notice        | <p><a href="#">Office of Environmental Health Hazard Assessment</a></p> <p>Extension of the Public Comment Period for Chemicals Submitted to the Developmental and Reproductive Toxicant Identification Committee for Consultation</p> <p>OEHHA has extended the public comment period through 11/27/2007.</p> <p>Originally listed in RRAC PC Regulatory Summary at CA-2007-96, this notice involves chemicals of possible interest to NASA including bisphenol A, bromodichloromethane, hexavalent chromium, and methylisocyanate.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                            |



| Tracking No. | Subject             | Date Published | Ref. Page                               | Type Action | Description                                                                                                                                                                                                                                                                                                                                                                                                                                        | Suggested Actions |
|--------------|---------------------|----------------|-----------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| CA-2007-143  | Water<br>TMDL       | 11/16/2007     | <a href="#">CRNR 2007, 46z, p. 1939</a> | Notice      | <a href="#">State Water Resources Control Board San Francisco Bay Mercury TMDL</a> [23 CCR 3915]<br><br>This amendment establishes fish tissue objectives for mercury, removes the marine waters 4-day average water quality objective, and establishes the allowable annual mercury load and monitoring provisions necessary to implement the TMDL. The State Water Resources Control Board approved this amendment on 07/17/2007.                |                   |
| CA-2007-144  | Water<br>Watersheds | 11/09/2007     | <a href="#">CRNR 2007, 45z, p. 1891</a> | Notice      | <a href="#">Board of Forestry and Fire Protection</a><br><br>Watershed with T or I Values Extension 2007 [14 CCR 895, 898, 914, 916, 923, 934, 936, 943, 954, 956, and 963]<br><br>This action will extend the effective period of forest practice rules for the protection of threatened or impaired watersheds until 12/31/2008. <a href="#">Documents</a> regarding threatened and impaired watershed rule are available. Effective 01/01/2008. |                   |

## 2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

| Tracking No. | Subject                | Date Published | Ref. Page                           | Type Action   | Description                                                                                                                                                                                                                                                                                                                                                                                  | Suggested Actions |
|--------------|------------------------|----------------|-------------------------------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| FL-2007-129  | Air<br>Title V Permits | 11/09/2007     | <a href="#">FAW Notice #4782893</a> | Proposed Rule | Chapter 62–FDEP 213–Operation Permits for Major Sources of Air Pollution<br><br>Proposes amendments to Chapter 62-213, F.A.C., to increase the annual Title V emissions fee factor from \$25.00 to \$30.00, and to provide that the Title V permit serve as written notice to the Title V source of the annual requirement for submission of the emissions fee. Comments are due 11/30/2007. |                   |

## 2.4 Hawaii State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Hawaii.

## 2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Louisiana.

| Tracking No. | Subject              | Date Published | Ref. Page                                      | Type Action | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Suggested Actions |
|--------------|----------------------|----------------|------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| LA-2007-38   | Air<br>Regional Haze | 11/20/2007     | <a href="#">LDEQ Website, Notice #0711Pot2</a> | Notice      | Louisiana Department of Environmental Quality<br>State Implementation Plan for Regional Haze Program<br><br>Announces plans to submit a proposed revision to the SIP for the Regional Haze Program as required under the CAA, Part C, Section 169 and <a href="#">40 CFR Part 51.308</a> . Further information is available on LDEQ's <a href="#">SIP Revision website</a> . Comments are due 01/31/2008. A public hearing is scheduled for 01/24/2008 in Baton Rouge, Louisiana. |                   |

| Tracking No. | Subject                                         | Date Published | Ref. Page                                     | Type Action            | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Suggested Actions |
|--------------|-------------------------------------------------|----------------|-----------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| LA-2007-39   | Compliance<br>Penalties                         | 11/20/2007     | <a href="#">LDEQ Website, Notice #MM004E2</a> | Emergency Rule         | Louisiana Department of Environmental Quality<br>Expedited Penalty Agreement (LAC 33:I.801 and 807, and VII.115 and 315)<br>Adds to the existing Emergency Rule certain violations of the new UST delivery prohibition regulations; reorganizes the existing list of violations in order by citation; clarifies various existing violations; adjusts existing penalty amounts to be consistent across media for similar violations; and adds other waste tire, water quality, and UST violations. Further information is available in the rule language on the LDEQ website ( <a href="#">MM004E2</a> ). Effective 11/15/2007. |                   |
| LA-2007-40   | Storage Tanks<br>USTs–<br>Secondary Containment | 11/20/2007     | <a href="#">LDEQ Website, Notice #UT014</a>   | Notice                 | Louisiana Department of Environmental Quality<br>Secondary Containment for UST Systems–Advanced Notice of Rulemaking and Solicitation of Comments (LAC 33:XI.103, 301, 303, 507, 509, and 701)<br>This rule would require owners and operators of UST systems to install secondary containment on new installations or replacements of tanks and piping. Further information is posted in proposed rule <a href="#">UT014</a> . Comments are due 01/31/2008.                                                                                                                                                                   |                   |
| LA-2007-41   | Water<br>State TMDL                             | 11/05/2007     | <a href="#">72 FR 62476</a>                   | Notice of Availability | U.S. Environmental Protection Agency<br>Clean Water Act Section 303(d): Availability of List Decisions<br>This notice announces the availability of EPA's final action identifying water quality limited segments and associated pollutants in Louisiana. Further information is available on EPA's <a href="#">website</a> . Comments are due 12/05/2007.                                                                                                                                                                                                                                                                     |                   |

## 2.6 Maryland State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Maryland.

## 2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

## 2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

## 2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

| Tracking No. | Subject                                           | Date Published | Ref. Page                         | Type Action   | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Suggested Actions                                                                                                        |
|--------------|---------------------------------------------------|----------------|-----------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| OH-2007-81   | Air<br>Emission Reporting                         | 11/08/2007     | <a href="#">Public Notice</a>     | Proposed Rule | Division of Air Pollution Control, OEPA<br>Toxic Chemical Release Reporting (TRI) [OAC 3745-100]<br>Proposes new draft language and draft amendments to incorporate two recent federal actions. The "TRI NAICS Rule" requires TRI facilities to report NAICS codes on their submissions instead of SIC codes. The "TRI Burden Reduction Rule" expands eligibility for use of the Form A Certification Statement in lieu of the more detailed Form R. Please see the <a href="#">synopsis</a> for additional information. Comments are due 12/10/2007. |                                                                                                                          |
| OH-2007-82   | Solid Waste<br>Construction and Debris Facilities | 11/08/2007     | <a href="#">News Release</a>      | Final Rule    | Division of Solid and Infectious Waste Management, OEPA<br>Groundwater Monitoring Fee Rule [OAC 3745-520-50]<br>Finalizes the Groundwater Monitoring Fee rule. Levies groundwater monitoring fees for construction and demolition debris facilities at a rate of \$0.05 per cubic yard or \$0.10 per ton on the disposal of construction and demolition debris. The fees will be used to fund and conduct groundwater monitoring of these facilities by the licensing authority. Final 11/01/2007. Effective 01/01/2008.                              | <a href="#">NASA facilities</a> should be aware of these proposed requirements for operations that generate such debris. |
| OH-2007-83   | Water<br>Permits                                  | 11/14/2007     | <a href="#">Public Notice</a>     | Proposed Rule | Division of Surface Water, OEPA<br>Permit-to-Install Rule [OAC 3745-42-02]<br>Proposes to replace the existing Permit-to-Install rule with a new rule that covers the applicability, exemptions, and procedures for a permit to install any disposal system. Any existing or proposed disposal system would be covered by this rule. Comments are due 12/18/2007. A public hearing is scheduled for 12/18/2007 at the OEPA Central Office, Columbus, Ohio.                                                                                            |                                                                                                                          |
| OH-2007-84   | Water<br>Water Quality Standards                  | 11/06/2007     | <a href="#">Public Notice</a>     | Proposed Rule | Division of Surface Water, OEPA<br>Water Quality Standards Use Designation Rules [OAC 3745-1]<br>Proposes revisions to water quality standards rules containing the beneficial use designations for specific water bodies of the state, including the Rocky River and Black River drainage basins. Further information is available on the <a href="#">rulemaking website</a> . Comments are due 12/14/2007. A public hearing is scheduled for 12/11/2007 at the OEPA Central Office, Columbus, Ohio.                                                 |                                                                                                                          |
| OH-2007-85   | Water<br>Wetlands                                 | 11/05/2007     | <a href="#">Guidance Document</a> | Notice        | Division of Surface Water, OEPA<br>A Guidance Document for Small Subsurface Flow Constructed Wetlands with Soil Dispersal System is now available and should be referenced for designs of subsurface flow systems that will treat up to 10,000 gallons per day of domestic wastewater and whose overflow structures discharge to the soils only.                                                                                                                                                                                                      |                                                                                                                          |

## 2.10 Texas State Regulatory Reviews

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register* published in HTML file format. Current and historical versions of the *Texas Register* in HTML and Adobe Acrobat (.pdf) file format can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

| Tracking No. | Subject                            | Date Published | Ref. Page                      | Type Action    | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Suggested Actions |
|--------------|------------------------------------|----------------|--------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| TX-2007-54   | Hazardous Materials Transportation | 11/09/2007     | <a href="#">32 TexReg 8108</a> | Proposed Rules | <p>Texas Department of Public Safety<br/>Regulations Governing Hazardous Materials [37 TAC §4.1]</p> <p>Proposes to incorporate by reference the Federal Hazardous Materials Regulations [49 CFR 107 (Subpart G), 171 to 173, 177, 178, and 180], as amended, through 10/01/2007 (previously 06/01/2007). Amendments incorporated by this rule change include the following, which may be of interest to NASA:</p> <ul style="list-style-type: none"> <li>▪ <a href="#">72 FR 44929</a>—Amended the Hazardous Materials Regulations to tighten the safety standards for the transportation of lithium batteries.</li> <li>▪ <a href="#">72 FR 55091</a>—Amended requirements applicable to the air transportation of compressed oxygen cylinders and oxygen generators.</li> </ul> <p>Public hearing 01/16/2007. Earliest date of adoption would be 12/09/2007.</p> |                   |
| TX-2007-55   | Water Quality                      | 11/09/2007     | <a href="#">32 TexReg 8188</a> | Notice         | <p>Notice of Availability of the Draft October 2007 Update to the Water Quality Management Plan for the State of Texas</p> <p>Announces the availability of the draft October 2007 <a href="#">Update to the Water Quality Management Plan for the State of Texas</a>. The update includes projected effluent limits of indicated domestic dischargers, which will be useful for water quality management planning in future permit actions. Comments are due 12/11/2007.</p>                                                                                                                                                                                                                                                                                                                                                                                       |                   |

### 2.10.1 TCEQ Approves Proposed SIP Revision

On 7 November 2007, TCEQ approved the. The purpose of this SIP revision is to document that any emissions of PM<sub>2.5</sub> from Texas sources that may have contributed to nonattainment in another state have been mitigated through existing control strategies. A public hearing will be held at TCEQ's Austin headquarters office at 12100 Park 35 Circle, Building B Room 201A, starting at 10:00 a.m. on 11 December 2007. A question and answer session will be held 30 minutes before the hearing.

## 2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

| Tracking No. | Subject                            | Date Published | Ref. Page                          | Type Action | Description                                                                                                                                                                                                                                                                                                                                                              | Suggested Actions |
|--------------|------------------------------------|----------------|------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| VA-2007-44   | Air<br>Emissions Trading Program   | 11/12/2007     | <a href="#">24:5 Va.R. 594</a>     | Final Rule  | Air Pollution Control Board<br>Emissions Trading Program (9 VAC 5-140)<br>Amends start date for the CAIR SO <sub>2</sub> trading budget from 2009 to 2010. Effective 12/12/2007.                                                                                                                                                                                         |                   |
| VA-2007-45   | Air<br>HAPs;<br>Stationary Sources | 11/12/2007     | <a href="#">24:5 Va.R. 572-587</a> | Final Rule  | Air Pollution Control Board<br>Hazardous Air Pollutant Sources (9 VAC 5-60); New and Modified Stationary Sources (9 VAC 5-50)<br>Amendments incorporate by reference federal regulations through 07/01/2007. Also adds 9VAC5-60-92, <i>Federal Hazardous Air Pollutant Program</i> . Effective 12/12/2007.                                                               |                   |
| VA-2007-46   | Air<br>NAAQS–<br>Ozone             | 11/12/2007     | <a href="#">24:5 Va.R. 564-566</a> | Final Rule  | Air Pollution Control Board<br>General Provisions [9 VAC 5-20]<br>Amendments revise the geographic delineation of nonattainment and maintenance areas by removing Hampton Roads and Richmond from the 8-hour ozone nonattainment area list and adding them to the maintenance area list. Effective 12/12/2007.                                                           |                   |
| VA-2007-47   | Air<br>Stationary Sources          | 11/12/2007     | <a href="#">24:5 Va.R. 566-572</a> | Final Rule  | Air Pollution Control Board<br>Existing Stationary Sources (9 VAC 40-20), New and Modified Stationary Sources (9 VAC 5-50).<br>Amends opacity compliance determination; can be determined in one of three ways: Reference Method 9 or EPA-approved method; evaluation of data from continuous monitoring; or use of any other EPA-approved method. Effective 12/12/2007. |                   |
| VA-2007-48   | Land Use<br>Biosolids              | 11/12/2007     | <a href="#">24:5 Va.R. 601-615</a> | Final Rule  | State Board of Health<br>Biosolids Use (12 VAC 5-585)<br>Amends requirements and restrictions of biosolids application. Effective 12/17/2007.                                                                                                                                                                                                                            |                   |